IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

WEDNESDAY THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND SEVEN
: PRESENT :
THE HON'BLE SRI JUSTICE: **BILAL NAZKI**

CRIMINAL REVISION CASE No.119 of 1999

(Criminal Revision Case under Sections 379, 399 & 401 of Cr.P.C. against the order of the Court of the III Additional Metropolitan Sessions Judge, Hyderabad made in Crl.A.No. 523/1996 dated. 30-01-1999 preferred against the order of the Court of the XV Metropolitan Magistrate, Hyderabad made in CC.No. 478/1995 dt. 28-10-1996)

Between:

1. M/s. Flexon Auto Steels Products (P) Ltd., rep. by its Managing Director, P.K.Narayana, P.B.No. 418, South Bazar, Kannur, Kerala.
2. P.K.Narayana, Managing Director, P.B.No. 418, South Bazaar, Kerala.

Petitioners

AND

1. M/s. Pratap Steels Ltd., rep. by its Deputy General Manager, J.K. Jain, Industrial Area, Pattancheru, Medak.
2. State of A.P., rep. by Public Prosecutor.

Respondents

The Petition coming on for orders as to admission upon perusing the Memo of grounds filed herein and the order of the High Court dated. 01-02-1999 made in Crl.M.P.No. 426/1999 and upon hearing the arguments of Sri K.Srinivas, Advocate for the Petitioners and of the Public Prosecutor on behalf of the Respondent No.2.

The Court made the following **ORDER:**

" Case is pending in this Court from 1999. On previous occasions, when nobody appeared on various dates, the Court directed the matter to be listed under the caption 'for dismissal'. On 16-07-2007, counsel for petitioner appeared, but did not argue the matter and made a request to the Court that the matter be deleted from the caption 'for dismissal'. After removing the case from the caption 'for dismissal', it is listed for hearing, but nobody appears even today.

The petitioner has been convicted for the offence under Section 138 of the Negotiable Instruments Act and has been sentenced to suffer rigorous imprisonment for a period of six months. He is also fined Rs. 5,000/-. This order was passed by the XV Metropolitan Magistrate, Hyderabad on 28-10-1996. Appeal was taken before the Special Judge for trial of cases under Essential Commodities Act-cum-III Addl. Metropolitan Sessions Judge, Hyderabad, who dismissed the appeal and confirmed the conviction and sentence, by his order dated 30th of January 1999.

When this revision was entertained, the petitioner was granted bail by order dated. 01-02-1999. This order is recalled and the learned XV Metropolitan Magistrate, Hyderabad, is directed to issue Non-bailable warrants of arrest against the accused and send him to custody to serve the sentence in terms of his judgment in CC.No. 478 of 1995, dated. 28-10-1996. This order shall be communicated to the XV Metropolitan Magistrate, Hyderabad immediately, who shall report compliance within four weeks. List after four weeks."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The XV Metropolitan Magistrate, Hyderabad. (**By Spl. Messenger**)
2. The III Additional Metropolitan Sessions Judge, Hyderabad.
3. J.K.Jain, Deputy General Manager, M/s. Pratap Steels Ltd., Industrial Area, Pattancheru, Medak.
4. Two CCs to Public Prosecutor, High Court of A.P.Hyd(OUT)
5. One CC to Sri K.Srinivas, Advocate(OPUC)
6. One spare copy.

SAH

HIGH COURT

BNJ

DATED: 22-08-2007

NOTE: LIST AFTER FOUR WEEKS

ORDER

CRL.RC.NO. 119 OF 1999

DIRECTION

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 23-08-2007

HIGH COURT

BNJ

DATED: 22-08-2007

NOTE: LIST AFTER FOUR WEEKS

ORDER

CRL.RC.NO. 119 OF 1999

DIRECTION